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IN THE COURT OF APPEAL OF THE STATE OF CALIFORNIA

SECOND APPELLATE DISTRICT

DIVISION FIVE

In re T.M., et al., Persons Coming Under  
the Juvenile Court Law.

B218075  
(Los Angeles County Super. Ct.  
No. CK77447)

LOS ANGELES COUNTY  
DEPARTMENT OF CHILDREN AND  
FAMILY SERVICES,

Plaintiff and Respondent,

v.

T.M., et al.,

Objectors and Appellants.

APPEAL from a judgment of the Superior Court of Los Angeles County, Anthony Trendacosta, Juvenile Court Referee. Dismissed.

Kimberly A. Knill, under appointment by the Court of Appeal, for Objectors and Appellants.

Andrea Sheridan Ordin, County Counsel, James M. Owens, Assistant County Counsel, and Timothy M. O’Crowley, Senior Deputy County Counsel, for Plaintiff and Respondent.

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T.M. and L.M. (the children) appeal from the judgment of July 24, 2009, declaring them dependents of the court under Welfare and Institutions Code section 300. They contend substantial evidence does not support the jurisdictional finding under section 300, subdivision (b), that their mother's history of drug abuse, current drug use, and failure to benefit from rehabilitative services created a substantial risk of serious harm.

We have judicially noticed the minute order of proceedings on March 12, 2010, which indicates that the dependency court terminated jurisdiction and returned the children to the parents. The parties were provided an opportunity to file supplemental briefing on the issue of whether the order terminating jurisdiction rendered the children's appeal moot. The Department of Children and Family Services filed a letter brief, dated April 21, 2010, urging dismissal of the appeal as moot on the ground no practical relief can be granted now that jurisdiction has been terminated. The children filed a letter brief, dated April 29, 2010, urging this court to exercise its inherent discretion to decide the issue, because the issue is a matter of public importance and is capable of repetition, yet evading review, and because the sustained allegations could adversely affect the outcome of future proceedings.

“As a general rule, an order terminating juvenile court jurisdiction renders an appeal from a previous order in the dependency proceedings moot.” (*In re C.C.* (2009) 172 Cal.App.4th 1481, 1488.) “[N]o direct relief can be granted even were we to find reversible error, [if] the juvenile court no longer has jurisdiction and we are only reviewing that court's ruling.” (*In re Michelle M.* (1992) 8 Cal.App.4th 326, 330.) “However, dismissal for mootness in such circumstances is not automatic, but ‘must be decided on a case-by-case basis.’ [Citations.]” (*In re C.C.*, *supra*, at p. 1488.)

The subsequent termination of dependency court jurisdiction in this case rendered the issue on appeal moot. We can give no effective relief in the proceeding, because there is no ongoing proceeding to affect. (*In re Michelle M.*, *supra*, 8 Cal.App.4th at p. 329.)

Moreover, we have exercised our discretion and conclude no extraordinary circumstances exist that require us to decide the issue. The question of the sufficiency of the particular facts and circumstances in this case is not a question of public importance or a question capable of repetition yet evading review. (Compare *Laurie S. v. Superior Court* (1994) 26 Cal.App.4th 195, 199 [whether the dependency court has discretion to order a parent to undergo a psychological evaluation for jurisdictional purposes was a question of public importance that was likely to recur, because psychological evaluations were frequently ordered but there were no reported cases providing guidance].) The children argue that the existence of a dependency judgment could possibly prejudice their interests in future proceedings, if any may arise. This scenario is too speculative to persuade us that the issue needs to be decided in order to resolve ongoing issues involving the children's interests. (See *In re Michelle. M.*, *supra*, 8 Cal.App.4th at p. 329.)

Accordingly, the appeal is dismissed as moot.

KRIEGLER, J.

We concur:

ARMSTRONG, Acting P. J.

MOSK, J.